

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

GLOBE TURBOCHARGER SPECIALTIES,) 3:08-CV-00051-ECR-RAM
INC., a Nevada corporation,)

Plaintiff,)

vs.)

AGL MANUFACTURING, LTD., a)
Canadian business entity; and)
DOES 1 through 5,)

Defendants.)

AGL MANUFACTURING, LTD., a)
Canadian business entity,)

Counterclaimant)

vs.)

GLOBE TURBOCHARGER SPECIALTIES,)
INC., a Nevada corporation,)

Counterdefendant.)

**ORDER AND
PRELIMINARY INJUNCTION**

The Court finds as follows:

(1) That Globe Turbocharger Specialties, Inc. (hereinafter "Globe") will probably prevail on its claims of breach of contract and misappropriation of trade secrets by AGL Manufacturing, Ltd. (hereinafter "AGL").

(2) That Globe will suffer irreparable injury if injunctive relief is not granted because the dissemination of its proprietary information contained in its designs, drawings, and blueprints will damage the value of the proprietary information.

1 (3) In balancing the equities, AGL will not be harmed more
2 than Globe is helped by the injunction because Globe faces
3 potential disclosure of its trade secrets and undermining of its
4 business by AGL using Globe proprietary designs. On the other
5 hand, AGL does not appear to be significantly harmed.

6 (4) Granting the injunction is in the public interest because
7 of the public interest in enforcing contracts and trade secret
8 laws.

9 **IT IS, THEREFORE, HEREBY ORDERED AND ADJUDGED** that AGL and its
10 officers, agents, servants, employees, and attorneys, and those
11 persons in active concert or participation with it, or them, or any
12 of them, and each of them, who receive actual notice of this order
13 by personal service, or otherwise are hereby preliminarily enjoined
14 and restrained pending the further proceedings in this case, as
15 follows:

16 (1) AGL is restrained from manufacturing turbocharger parts
17 from tooling created pursuant to the Globe purchase orders listed
18 in Exhibit A attached to this order and incorporated herein by
19 reference.

20 (2) AGL shall, within a reasonable period of time, return to
21 Globe all tooling created pursuant to the Globe purchase orders
22 listed in Exhibit A. Globe shall pay the reasonable cost of
23 shipping the tooling from its present location to such location as
24 directed in writing by Globe. Globe shall retain and preserve the
25 subject tooling during the pendency of this action, so that it may
26 be returned to AGL if it is adjudged that AGL is entitled to it.

27 (3) AGL is restrained from using Globe's designs, drawings,
28 and blueprints in any manner.

1 (4) AGL shall return all Globe designs, drawings, and
2 blueprints to such location as directed by Globe in writing. Globe
3 shall pay the reasonable cost for shipping these items to the
4 location directed by Globe.

5 **IT IS FURTHER ORDERED** this Preliminary Injunction shall be
6 effective upon Globe posting with the Clerk of the Court security
7 in the amount of \$55,000.00 in a form to be approved by the Court
8 for payment of such costs and damages as may be incurred or
9 suffered by AGL, if hereafter found to have been wrongfully
10 enjoined or restrained.

11 Dated: This 24th day of October, 2008.

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14 UNITED STATES DISTRICT JUDGE
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EXHIBIT A

GLOBE TURBOCHARGER v. AGL, INC.

DATE	P.O.	DESCRIPTION
8/18/00	12626-00	Support Turbine Bearing #1867372
9/25/00	12669-00	Cam Plate #1867339
9/26/00	12678-00	Carrier Seal Ring #1867678
10/02/00	12692-00	Labrynth Seal #1867675
10/04/00	12704-00	Bearing Carrier #2672430-1; Tooling ID: 826-5804
10/09/00	12710-00	Bearing Carrier, Model 350, #26718701
10/16/00	12719-00	Cover Impeller, #1867292
04/16/01	13085-00	Casting Blade #1126-5701; Tooling ID: 1126-5701
04/16/01	13086-00	Blade Casting: 1126-5702, Model 165; Tooling ID: 1126-5702
04/16/01	13087-00	Clutch Support # 1867703
05/14/01	14040-00	Shroud ring #18672915FL
05/14/01	14041-00	Bearing Carrier # 2679476-1
07/03/01	14167-00	Bearing Retainer #26C79784-1
07/06/01	14172-00	Napier Blade Casting #3044050RM
07/10/01	14175-00	Heat Dam Washer #1867322
08/09/01	14237-00	Blade Casting 1616 #8316301RM
08/27/01	14269-00	Carrier Drive Gear #1868203
09/04/01	14282-00	Turbine Blade Casting 1745 #8300391RM
09/10/01	14297-00	Carrier House T.E. Bearing #2679531-1
10/19/01	14385-00	Carrier T.E. Bearing Mdl.165, #2679530-1
12/10/01	14481-00	Washer #2679984-1
12/17/01	14502-00	Impeller Spacer #1867570
12/31/01	14527-00	Bearing Carrier Support # 867320
01/31/02	14574-00	Clutch Dwelling Assembly #1867944
01/31/02	14578-00	Turbine End Insert #2679537-1
02/08/02	14590-00	Dish to Shaft Nut 165 #2679536-1
03/01/02	14624-00	Turbine Blade Casting 6E PE #8300434
04/01/02	14670-00	Air Inlet Casting Model 126X1869 #8316332
04/01/02	14671-00	Bearing Housing Compressor End #2678272-1
04/15/02	14699-00	Eductor Tube (Outer) #1867555
04/19/02	14709-00	Clutch Dowel Assembly Roller #1867543
04/29/02	14732	Special Nut Cat #22611412-2; #2678214-1
04/29/02	14735-00	Semi-Finished Shroud Ring 645; #18676765F
05/07/02	14754-00	Heat Dam Washer 710; #7100083
05/07/02	14756-00	Compressor Seal 710; #7100122
05/07/02	14757-00	Lock Plate, #1867333
05/10/02	14765-00	VARIOUS [PUT IN SPREADSHEET]
05/10/02	14766-00	Nose Cap Rotor, #83002989
05/20/02	14785	VARIOUS
05/23/02	14796-00	Seal Ring Carrier 710, #7100217
05/23/02	14798-00	Turbine Bearing Support, #7100285
05/29/02	14813-00	Idler Gear Support, #1867344
07/01/02	14862-00	Insert & Rotor Shaft Nut, #26721614

DATE	P.O.	DESCRIPTION
08/02/02	14915-00	Main Casing Assembly for 1817, 1869 & 1883
08/08/02	14920-00	Turbine Blade Size B, #7100114
08/28/02	14970-00	Blade K6 GE 70 slots #8316146
09/05/02	14979-00	Stub Shaft, Idler Gear # 7100343
09/05/02	14980-00	Retainer PLT Idles SFT710 #7100353
11/04/02	15083-00	Gas Inlet Casing, MDL 165, #26T79710-1
11/08/02	15099-00	Shroud Retainer Ring #7100221
11/14/02	15115-00	Oil Slinger Sleeve, MDL 165, #2679783-1
11/14/02	15116-00	Idle Gear Support 710 #7100344
11/15/02	15117-00	Gas Inlet Casing, MDL 165, #26T78017-1
11/19/02	15121-00	Thrust Collar #2679782-1
01/06/03	151219-00	Semi-Finish Turbine Inlet #8316135SF
04/16/03	15424-00	Impeller Assembly Cover #1867390
04/16/03	15428-00	Scroll Compressor, MDL 567 #1867392
04/16/03	15430-00	Oil Deflector #7100280
04/17/03	15432-00	Clevis #7100255
06/16/03	15556-00	Casting Blade FE #1867609RM
06/30/03	15585-00	Support Assembly #7100265
07/08/03	15609-00	Clutch Support #7100387
02/13/04	16012-00	Space Thrust Collar 710 #7108081
11/09/05	17622-00	Oil Slinger Rotor, Model 320 #2672151-1
04/27/06	17985-00	Patterns for #8316223